

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q105188

Harue NISHIYA, et al.

Appln. No.: 10/575,096

Group Art Unit: 1635

Confirmation No.: 9627

Examiner: Jane J. ZARA

Filed: April 10, 2006

For: PROCESS FOR PRODUCING ANTIBODY COMPOSITION BY USING RNA
INHIBITING THE FUNCTION OF ALPHA1,6-FUCOSYLTRANSFERASE

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. However, since a Statement under § 1.97(e) can be made, a Statement is submitted herewith.

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98
U.S. Appln. No.: 10/575,096

Attorney Docket No.: Q105188

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. §1.704(d) is attached.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a Communication from a foreign patent office (Supplementary European Search Report for EP 04773767 dated September 29, 2009) citing such documents and indicating the degree of relevance found by the foreign patent office. Applicants also submit an English language abstract for WO 03/055993.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Tu A. Phan/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

65565

CUSTOMER NUMBER

Date: October 29, 2009

Tu A. Phan, Ph.D.
Registration No. 59,392

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

/Tu A. Phan/

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Facsimile: (202) 293-7860

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STATEMENT UNDER 37 C.F.R. § 1.704(d)

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The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

/Tu A. Phan/

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Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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